



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of  
**Goerlitzer, et al**

Examiner: Anderson, Rebecca L.

Art Unit: 1626

Application No.: 10/789,019

Filed: February 27, 2004

Title: **Diarylcyloalkyl derivatives, process for  
their preparation and their use as  
pharmaceuticals**

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Response to Office Action

Commissioner for Patents  
P. O. Box 1450  
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26 7/25

This paper is in response to the Office Action mailed 02/15/06. According to the Examiner, the English translation of DE10308353.7 submitted by Applicant with the paper mailed August 22, 2005, was not made of record in accordance with 37 CFR 1.55. Specifically, while Applicant filed a translation of DE10308353.7, Applicant did not file the translation together with the required statement that the translation of the certified copy is accurate. Therefore, the 35 USC 102(a) rejection of Claims 1-12 was maintained. Applicant herewith submits the translation together with the required statement that the translation of the certified copy is accurate. Applicant asserts that this submission is sufficient to overcome the 35 USC 102(a) rejection of Claims 1-12.

In view of the submission and remarks contained herein, Applicant submits that the application is in condition for allowance.

Respectfully submitted,

Barbara E. Kurys  
Barbara E. Kurys, Reg. No.: 34,650  
Attorney/Agent for Applicant

sanofi-aventis Inc. LLC  
U.S. Patent Operations  
Route #202-206 / P.O. Box 6800  
Bridgewater, New Jersey 08807-0800  
Telephone: 908-231-2965  
Telefax: 908-231-2626

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